

PROB 12C  
(7/93)

Report Date: August 16, 2012

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

AUG 16 2012

JACOB A. LUTHER, CLERK  
DEPUTY  
YAKIMA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Matilda Lucille Jim

Case Number: 2:08CR02070-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 4/16/2009

Original Offense: Crime on Indian Reservation - Assault With a Dangerous Weapon,  
18 U.S.C. §§ 1153 & 1139a)(3)Original Sentence: Prison - 51 Months  
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Thomas J. Hanlon

Date Supervision Commenced: 7/17/2012

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: 7/16/2015

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**PETITIONING THE COURT****To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

**Violation Number      Nature of Noncompliance**

- 1      **Mandatory Condition #2:** The defendant shall not commit another Federal, state, or local crime.

**Supporting Evidence:** Matilda Lucille Jim was arrested on August 5, 2012, for disturbing the peace, Yakama Nation Police Department case number 12-3797.

According to an incident report from tribal police, on August 5, 2012, officers were dispatched to the defendant's residence in reference to her chasing a female around the home with a shovel. Upon arrival, the defendant was detained as she was walking along the road. The reporting party, the defendant's mother, related that Ms. Jim had been drinking and was causing a disturbance by yelling at her friend. She also stated that the defendant was holding a shovel in her hand and would not allow her friend to leave the residence. The defendant's friend did not wish to pursue charges because she was afraid of the defendant. The defendant's mother advised she wanted to pursue charges against the defendant and she was subsequently booked into tribal jail for disturbing the peace. During booking, a Breathalyzer test was administered on the defendant which noted a blood alcohol content level of .195.

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Ms. Jim appeared in tribal court on August 6, 2012, and was released on her own recognizance. Her next court date is scheduled for September 24, 2012.

- 2      **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** Matilda Lucille Jim failed to report to the U.S. Probation Office on August 14, 2012.

On August 14, 2012, contact with the defendant's mother revealed the defendant had left the residence on August 13, 2012, and had not returned. She further related she did not know of her whereabouts and did not know if she would return. A message was left directing the defendant to contact this officer before 5 p.m. that same day but she failed to report as directed.

On August 15, 2012, contact was made with the defendant's mother who related she had still not seen or heard from the defendant.

- 3      **Special Condition #19:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

**Supporting Evidence:** Matilda Lucille Jim failed to enter a 21-day intensive inpatient treatment program at Sundown M Ranch (Sundown) on August 14, 2012.

On August 7, 2012, Ms. Jim reported for an office visit at which time a treatment bed date was secured for her at Sundown on August 14, 2012. The defendant agreed to enter treatment as scheduled and was warned about possible consequences should she fail to show for her scheduled bed date. On August 15, 2012, contact with treatment personnel revealed the defendant failed to show for treatment on August 14, 2012.

- 4      **Special Condition #20:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**Supporting Evidence:** Matilda Lucille Jim failed to report to Merit Resource Services (Merit) for a urinalysis test on August 14, 2012.

- 5      **Special Condition #21:** You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**Supporting Evidence:** Matilda Lucille Jim consumed alcohol on August 3, 4, and 5, 2012.

On August 7, 2012, the defendant reported to the U.S. Probation Office and admitted to consuming alcohol on August 3, 4, and 5, 2012. She then reviewed and signed an admission of alcohol use form acknowledging the aforementioned.

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The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/16/2012

s/Jose Vargas

Jose Vargas  
U.S. Probation Officer

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### THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

  
Signature of Judicial Officer

8/16/12  
Date